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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION	) MDL Docket No. 06-1791 VRW
	)
	) **DECLARATION OF ASIM GHAFOOR IN SUPPORT OF MOTION PURSUANT TO 50 U.S.C. § 1806(f) TO DISCOVER OR OBTAIN MATERIAL RELATING TO ELECTRONIC SURVEILLANCE**
This Document Relates Solely To:	
Al-Haramain Islamic Foundation, Inc., et al. v. Bush, et al. (C07-CV-0109-VRW)	)
	) Date: Tuesday, December 2, 2008
AL-HARAMAIN ISLAMIC FOUNDATION, INC., et al.,	) Time: 10:00 a.m.
	) Court: Courtroom 6, 17th Floor
	) Honorable Vaughn R. Walker

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Plaintiffs,	)
vs.	)
	)
GEORGE W. BUSH, President of the United States, et al.,	)
	)
Defendants.	)
	)

I, Asim Ghafoor, declare as follows:

1. I am an attorney at law, with an office in Washington, D.C., and am one of the plaintiffs in the above-captioned litigation.

2. The statements contained in this declaration are based on my personal knowledge and recollection, wholly independent of any classified written documentation including the sealed document that was filed simultaneously with the initial complaint in this litigation.

3. During the period of time immediately following the blocking of plaintiff Al-Haramain Islamic Foundation, Inc.'s assets on February 19, 2004, I spoke over the telephone with one of Al-Haramain's directors, Soliman al-Buthi, approximately daily from February 19 through February 29, 2004 and approximately weekly thereafter. I was located in Washington D.C.; al-Buthi was located in Riyadh, Saudi Arabia. The telephone numbers that I used were 202-390-5390, 202-497-2219, and 703-421-7303. The telephone numbers that al-Buthi used were 966505457679 and 966506414004.

4. Plaintiff Al-Haramain and al-Buthi had been named among multiple defendants in *Burnett, et al. v. Al Baraka Investment and Development Corporation, et al.*, a lawsuit filed against Saudi Arabian entities and citizens on behalf of victims of the terrorist attacks of September 11, 2001. Al-Buthi was attempting to coordinate the defense of individuals named in the *Burnett* lawsuit and the payment of their legal fees. Al-Buthi contacted some of those individuals and urged them to obtain legal representation to prevent entry of default judgments against them. I undertook to represent several of the individuals whom al-Buthi contacted.

5. During my telephone conversations with al-Buthi described in paragraph 3 above, al-Buthi mentioned by name numerous defendants whom I had undertaken to represent in the *Burnett* lawsuit filed on behalf of the September 11 victims. One of the names al-Buthi mentioned was

Mohammad Jamal Khalifa, who was married to one of Osama bin-Laden's sisters. Two other names al-Buthi mentioned were Safar al-Hawali and Salman al-Auda, clerics whom Osama bin-Laden claimed had inspired him.

6. During those telephone conversations, al-Buthi and I also discussed issues relating to payment of my legal fees as defense counsel in the *Burnett* lawsuit, including the following: who would pay the fees; replenishment of my retainer; the possibility of using a credit card to pay the legal fees; and a system for payment of the fees by check, whereby clients would make payments to al-Buthi, who would deposit those payments in his personal bank account and then send cashier's checks to me.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed this 18th day of September, 2008.

Asim Ghafoor